

GHAJAR EXHIBIT 19

Bryan L. Clobes (pro hac vice)
Alexander J. Sweatman (pro hac vice)
Mohammed A. Rathur (pro hac vice)
**CAFFERTY CLOBES MERIWETHER
& SPRENGEL LLP**
135 South LaSalle Street, Suite 3210
Chicago, IL 60603
Telephone: (312) 782-4880
Email: bclobes@caffertyclobes.com
asweatman@caffertyclobes.com
mrathur@caffertyclobes.com

*Counsel for Individual and
Representative Plaintiffs and the
Proposed Class*

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

RICHARD KADREY, SARAH SILVERMAN,
CHRISTOPHER GOLDEN, TA-NEHISI
COATES, JUNOT DÍAZ, ANDREW SEAN
GREER, DAVID HENRY HWANG,
MATTHEW KLAM, LAURA LIPPMAN,
RACHEL LOUISE SNYDER, JACQUELINE
WOODSON, AND LYSA TERKEURST,

Individual and Representative Plaintiffs,

v.

META PLATFORMS, INC.;

Defendant.

Case No. 3:23-cv-03417-VC

**PLAINTIFF TA-NEHISI COATES'S
RESPONSES AND OBJECTIONS TO
DEFENDANT META PLATFORMS,
INC.'S THIRD SET OF REQUESTS FOR
ADMISSION**

PROPOUNDING PARTY: Defendant Meta Platforms, Inc.

RESPONDING PARTY: TA-NEHISI COATES

SET NUMBER: Three (3)

1 Plaintiff objects to this Request as unreasonably cumulative of Requests for Admissions Numbers
2 9, 10, 11, 69, and 70. *See e.g., Thorpe v. Hearn*, No. 219CV1974KJMKJNP, 2022 WL 902891, at
3 *5 (E.D. Cal. Mar. 28, 2022) (“Where requests for admission ... are unreasonably cumulative and
4 duplicative of other discovery taken in the case, the requests do not serve the purpose of Rule 36(a)
5 and are properly subject to objection.”) (internal citations omitted); *see also K.C.R. v. Cnty. of Los*
6 *Angeles*, No. CV 13-3806 PSG SSX, 2014 WL 3433925, at *4 (C.D. Cal. July 14, 2014). Subject
7 to and without waiver of the foregoing objections, Plaintiff admits this Request.

8 **REQUEST FOR ADMISSION 73:**

9 Admit that YOUR ASSERTED WORK(S) are published.

10 **RESPONSE TO REQUEST NO. 73:**

11 Plaintiff admits that Plaintiff’s ASSERTED WORKS are published.

12 **REQUEST FOR ADMISSION 74:**

13 Admit that YOUR ASSERTED WORK(S) were published before the acts of purported
14 infringement by Meta alleged in the COMPLAINT.

15 **RESPONSE TO REQUEST NO. 74:**

16 Plaintiff admits that Plaintiff’s ASSERTED WORKS were published prior to Meta’s infringement
17 as alleged in the operative complaint, and therefore admits this Request.

18 **REQUEST FOR ADMISSION 75:**

19 Admit that not all of the ASSERTED WORK(S) (including those of YOUR co-Plaintiffs) are of
20 the same genre.

21 **RESPONSE TO REQUEST NO. 75:**

22 Plaintiff objects to this Request as vague and ambiguous as to the term “genre,” as the term is
23 subject to different interpretations. Subject to and without waiving the foregoing objection,
24 Plaintiff further states that Plaintiff lacks sufficient knowledge or information to respond to this
25 Request regarding the content of the ASSERTED WORKS of any other Plaintiff. Plaintiff therefore
26 lacks sufficient knowledge to either admit or deny this Request.

REQUEST FOR ADMISSION 76:

Admit that you are not aware of any agreements to assign rights in or to YOUR ASSERTED WORK(S) that have not already been produced in this ACTION.

RESPONSE TO REQUEST NO. 76:

Plaintiff objects to this Request as vague and ambiguous as to the phrase “any agreements” and “assign rights in or to.” Plaintiff further objects to this Request as compound and ambiguous, because it includes the disjunctive phrase, “in or to.” “[R]equests for admissions should not contain ‘compound, conjunctive, or disjunctive ... statements.’” *James v. Maguire Corr. Facility*, No. C 10-1795 SI PR, 2012 WL 3939343, at *4 (N.D. Cal. Sept. 10, 2012) (*quoting U.S. ex rel. England v. Los Angeles County*, 235 F.R.D. 675, 684 (E.D. Cal. 2006)); *see also King v. Biter*, No. 115CV00414LJOSABPC, 2018 WL 339052, at *6 (E.D. Cal. Jan. 9, 2018). Subject to and without waiving the foregoing objections, Plaintiff admits discovery is ongoing. Plaintiff further admits that Plaintiff has produced non-privileged documents in Plaintiff’s possession, custody, or control, responsive to Meta’s requests for production regarding licensing agreements for Plaintiff’s ASSERTED WORKS. Plaintiff otherwise denies this Request.

Dated: November 18, 2024

By: /s/Mohammed A. Rathur
Mohammed A. Rathur

Bryan L. Clobes (pro hac vice)
Alexander J. Sweatman (pro hac vice)
Mohammed A. Rathur (pro hac vice)
**CAFFERTY CLOBES MERIWETHER
& SPRENGEL LLP**
135 South LaSalle Street, Suite 3210
Chicago, IL 60603
Telephone: (312) 782-4880
Email: bclobes@caffertyclobes.com
asweatman@caffertyclobes.com
mrathur@caffertyclobes.com

Counsel for Plaintiffs and the Proposed Class

Bryan L. Clobes (pro hac vice)
Alexander J. Sweatman (pro hac vice)
Mohammed A. Rathur (pro hac vice)
**CAFFERTY CLOBES MERIWETHER
& SPRENGEL LLP**
135 South LaSalle Street, Suite 3210
Chicago, IL 60603
Telephone: (312) 782-4880
Email: bclobes@caffertyclobes.com
asweatman@caffertyclobes.com
mrathur@caffertyclobes.com

*Counsel for Individual and
Representative Plaintiffs and the
Proposed Class*

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

RICHARD KADREY, SARAH SILVERMAN,
CHRISTOPHER GOLDEN, TA-NEHISI
COATES, JUNOT DÍAZ, ANDREW SEAN
GREER, DAVID HENRY HWANG,
MATTHEW KLAM, LAURA LIPPMAN,
RACHEL LOUISE SNYDER, JACQUELINE
WOODSON, AND LYSA TERKEURST,

Individual and Representative Plaintiffs,

v.

META PLATFORMS, INC.;

Defendant.

Case No. 3:23-cv-03417-VC

**PLAINTIFF JUNOT DIAZ'S
RESPONSES AND OBJECTIONS TO
DEFENDANT META PLATFORMS,
INC.'S THIRD SET OF REQUESTS FOR
ADMISSION**

PROPOUNDING PARTY: Defendant Meta Platforms, Inc.

RESPONDING PARTY: JUNOT DIAZ

SET NUMBER: Three (3)

7, 2016) (“Since requests to admit ‘must be connected to the facts of the case, courts do not permit ‘hypothetical’ questions within requests for admission.”); *Fullhorst v. Un. Techs. Auto., Inc.*, 1997 WL 873548, at *3 (D. Del. Nov. 17, 1997) (denying request “asking Plaintiff to admit to infringement in the context of the hypothetical use of its device”); Fed. R. Civ. P. 36 advisory committee’s note to 1946 amendment; *Universal Dyeing & Printing, Inc. v. Zoetop Bus. Co.*, No. CV223741FLARAOX, 2023 WL 9004983, at *21 (C.D. Cal. June 23, 2023) (denying motion to compel where the Request for Admission was a hypothetical not tied to the facts at issue and an affirmative response would not reduce the burden on a jury at trial) (citing *Advantus, Corp. v. Sandpiper of Cal., Inc.*, No.: 19cv1892-CAB (NLS), 2021 WL 2038318, at *2 (S.D. Cal. May 21, 2021) and *Apple Inc. v. Samsung Elecs. Co.*, No. C 11-cv-1846 LHK (PSG), 2012 WL 952254, at *4 (N.D. Cal. Mar. 20, 2012)). Subject to and without waiver of the foregoing objections, Plaintiff admits this Request.

REQUEST FOR ADMISSION 70:

Admit that YOU have not granted another PERSON the right to license YOUR ASSERTED WORK(S) as training data for LLMs.

RESPONSE TO REQUEST NO. 70:

Plaintiff objects to this Request as unreasonably cumulative of Requests for Admissions Numbers 9, 10, 11, 69, and 70. *See e.g., Thorpe v. Hearn*, No. 219CV1974KJMKJNP, 2022 WL 902891, at *5 (E.D. Cal. Mar. 28, 2022) (“Where requests for admission ... are unreasonably cumulative and duplicative of other discovery taken in the case, the requests do not serve the purpose of Rule 36(a) and are properly subject to objection.”) (internal citations omitted); *see also K.C.R. v. Cnty. of Los Angeles*, No. CV 13-3806 PSG SSX, 2014 WL 3433925, at *4 (C.D. Cal. July 14, 2014). Subject to and without waiver of the foregoing objections, Plaintiff admits this Request.

REQUEST FOR ADMISSION 71:

Admit that YOUR ASSERTED WORK(S) are published.

RESPONSE TO REQUEST NO. 71:

1 Plaintiff admits that Plaintiff's ASSERTED WORKS are published.

2 **REQUEST FOR ADMISSION 72:**

3 Admit that YOUR ASSERTED WORK(S) were published before the acts of purported
4 infringement by Meta alleged in the COMPLAINT.

5 **RESPONSE TO REQUEST NO. 72:**

6 Plaintiff admits that Plaintiff's ASSERTED WORKS were published prior to Meta's infringement
7 as alleged in the operative complaint, and therefore admits this Request.

8 **REQUEST FOR ADMISSION 73:**

9 Admit that not all of the ASSERTED WORK(S) (including those of YOUR co-Plaintiffs) are of
10 the same genre.

11 **RESPONSE TO REQUEST NO. 73:**

12 Plaintiff objects to this Request as vague and ambiguous as to the term "genre," as the term is
13 subject to different interpretations. Subject to and without waiving the foregoing objection,
14 Plaintiff further states that Plaintiff lacks sufficient knowledge or information to respond to this
15 Request regarding the content of the ASSERTED WORKS of any other Plaintiff. Plaintiff therefore
16 lacks sufficient knowledge to either admit or deny this Request.

17 **REQUEST FOR ADMISSION 74:**

18 Admit that you are not aware of any agreements to assign rights in or to YOUR ASSERTED
19 WORK(S) that have not already been produced in this ACTION.

20 **RESPONSE TO REQUEST NO. 74:**

21 Plaintiff objects to this Request as vague and ambiguous as to the phrase "any agreements" and
22 "assign rights in or to." Plaintiff further objects to this Request as compound and ambiguous,
23 because it includes the disjunctive phrase, "in or to." "[R]equests for admissions should not contain
24 'compound, conjunctive, or disjunctive ... statements.'" *James v. Maguire Corr. Facility*, No. C
25 10-1795 SI PR, 2012 WL 3939343, at *4 (N.D. Cal. Sept. 10, 2012) (*quoting U.S. ex rel. England*
26 *v. Los Angeles County*, 235 F.R.D. 675, 684 (E.D. Cal. 2006)); *see also King v. Biter*, No.

1 115CV00414LJOSABPC, 2018 WL 339052, at *6 (E.D. Cal. Jan. 9, 2018). Subject to and without
2 waiving the foregoing objections, Plaintiff admits discovery is ongoing. Plaintiff further admits
3 that Plaintiff has produced non-privileged documents in Plaintiff's possession, custody, or control,
4 responsive to Meta's requests for production regarding licensing agreements for Plaintiff's
5 ASSERTED WORKS. Plaintiff otherwise denies this Request.

6
7
8 Dated: November 18, 2024

By: /s/Mohammed A. Rathur
Mohammed A. Rathur

9
10 Bryan L. Clobes (pro hac vice)
Alexander J. Sweatman (pro hac vice)
Mohammed A. Rathur (pro hac vice)
11 **CAFFERTY CLOBES MERIWETHER**
& SPRENGEL LLP
12 135 South LaSalle Street, Suite 3210
Chicago, IL 60603
13 Telephone: (312) 782-4880
Email: bclobes@caffertyclobes.com
14 asweatman@caffertyclobes.com
15 mrathur@caffertyclobes.com

16 *Counsel for Plaintiffs and the Proposed Class*
17
18
19
20
21
22
23
24
25
26
27

Rachel Geman (*pro hac vice*)
rgeman@lchb.com
LIEFF CABRASER HEIMANN & BERNSTEIN, LLP
250 Hudson Street, 8th Floor
New York, NY 10013-1413
Telephone: 212.355.9500
Facsimile: 212.355.9592
Email: rgeman@lchb.com

Elizabeth J. Cabraser, Esq.
Daniel M. Hutchinson, Esq.
Reilly T. Stoler, Esq.
LIEFF CABRASER HEIMANN & BERNSTEIN, LLP
275 Battery Street, 29th Floor
San Francisco, CA 94111-3339
Telephone: 415.956.1000
Email: ecabraser@lchb.com
dhutchinson@lchb.com
rstoler@lchb.com

Kenneth S. Byrd. (*pro hac vice* forthcoming)
Betsy A. Sugar (*pro hac vice* forthcoming)
LIEFF CABRASER HEIMANN & BERNSTEIN, LLP
222 2nd Avenue South, Suite 1640
Nashville, TN 37201-2375
Telephone: 615.313.9000
Email: kbyrd@lchb.com
bsugar@lchb.com

Scott J. Sholder (*pro hac vice*)
CeCe M. Cole (*pro hac vice*)
COWAN DEBAETS ABRAHAMS & SHEPPARD LLP
60 Broad Street, 30th Floor
New York, New York 10004
Telephone: 212.974.7474
Email: ssholder@cdas.com
ccole@cdas.com

Attorneys for Plaintiff
Christopher Farnsworth and
Representative Plaintiffs and the Proposed Class

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

RICHARD KADREY, *et al.*,

Individual and Representative
Plaintiffs,

Case No. 3:23-cv-03417-VC

PLAINTIFF CHRISTOPHER
FARNSWORTH'S RESPONSES TO
DEFENDANT'S FIRST SET OF REQUESTS
FOR ADMISSIONS

PLAINTIFF CHRISTOPHER FARNSWORTH'S
RESPONSES TO RFA'S, SET 1
No. 3:23-CV-03417-VC

Nos. 9, 10, 11, 69, and 70. *See e.g., Thorpe v. Hearn*, No. 219CV1974KJMKJNP, 2022 WL 902891, at *5 (E.D. Cal. Mar. 28, 2022) (“Where requests for admission ... are unreasonably cumulative and duplicative of other discovery taken in the case, the requests do not serve the purpose of Rule 36(a) and are properly subject to objection.”) (internal citations omitted); *see also K.C.R. v. Cnty. of Los Angeles*, No. CV 13-3806 PSG SSX, 2014 WL 3433925, at *4 (C.D. Cal. July 14, 2014).

Subject to and without waiving these general and specific objections, Plaintiff admits Request No. 77.

REQUEST FOR ADMISSION NO. 78:

Admit that YOUR ASSERTED WORK(S) are published.

RESPONSE TO REQUEST FOR ADMISSION NO. 77:

Plaintiff admits Request No. 78.

REQUEST FOR ADMISSION NO. 79:

Admit that YOUR ASSERTED WORK(S) were published before the acts of purported infringement by Meta alleged in the COMPLAINT.

RESPONSE TO REQUEST FOR ADMISSION NO. 78:

Plaintiff admits Request No. 79.

REQUEST FOR ADMISSION NO. 80:

Admit that not all of the ASSERTED WORK(S) (including those of YOUR co-Plaintiffs) are of the same genre.

RESPONSE TO REQUEST FOR ADMISSION NO. 79:

Plaintiff objects that the term “genre” is vague and ambiguous, as the term is subject to different interpretations.

Subject to and without waiving these general and specific objections, Plaintiff further states that Plaintiff lacks sufficient knowledge or information to respond to this Request regarding the content of the Asserted Works of any other Plaintiff. Plaintiff therefore lacks sufficient knowledge to either admit or deny this Request.

REQUEST FOR ADMISSION NO. 81:

Admit that you are not aware of any agreements to assign rights in or to YOUR ASSERTED WORK(S) that have not already been produced in this ACTION.

RESPONSE TO REQUEST FOR ADMISSION NO. 80:

Plaintiff objects that the terms “any agreements” and “assign rights in or to” are vague and ambiguous. Plaintiff further objects to this Request as compound and ambiguous, because it includes the disjunctive phrase, “in or to.” “[R]equests for admissions should not contain ‘compound, conjunctive, or disjunctive ... statements.’” *James v. Maguire Corr. Facility*, No. C 10-1795 SI PR, 2012 WL 3939343, at *4 (N.D. Cal. Sept. 10, 2012) (*quoting U.S. ex rel. England v. Los Angeles County*, 235 F.R.D. 675, 684 (E.D. Cal. 2006)); *see also King v. Biter*, No. 115CV00414LJOSABPC, 2018 WL 339052, at *6 (E.D. Cal. Jan. 9, 2018).

Subject to and without waiving these general and specific objections, Plaintiff admits discovery is ongoing. Plaintiff further admits that Plaintiff has produced non-privileged documents in Plaintiff’s possession, custody, or control, responsive to Meta’s requests for production regarding licensing agreements for Plaintiff’s Asserted Works. Plaintiff otherwise denies this Request.

Dated: November 18, 2024

Respectfully submitted,

LIEFF CABRASER HEIMANN & BERNSTEIN, LLP

By: /s/ Rachel Geman

Rachel Geman

LIEFF CABRASER HEIMANN & BERNSTEIN, LLP
250 Hudson Street, 8th Floor
New York, NY 10013-1413
Telephone: 212.355.9500
Facsimile: 212.355.959
Email: rgeman@lchb.com

BOIES SCHILLER FLEXNER LLP

David Boies (*pro hac vice*)
333 Main Street
Armonk, NY 10504
(914) 749-8200
dboies@bsflp.com

Joseph R. Saveri (State Bar No. 130064)

JOSEPH SAVERI LAW FIRM, LLP

601 California Street, Suite 1505
San Francisco, California 94108
Telephone: (415) 500-6800
Facsimile: (415) 395-9940
Email: jsaveri@saverilawfirm.com

*Counsel for Individual and Representative Plaintiffs
and the Proposed Class*

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

Richard Kadrey, et al.,

Individual and Representative Plaintiffs,

v.

Meta Platforms, Inc.,

Defendant.

Lead Case No. 3:23-cv-03417-VC
Case No. 4:23-cv-06663

**PLAINTIFF CHRISTOPHER GOLDEN'S
RESPONSES TO DEFENDANT META
PLATFORMS, INC.'S THIRD SET OF
REQUESTS FOR ADMISSION**

36 advisory committee’s note to 1946 amendment; *Universal Dyeing & Printing, Inc. v. Zoetop Bus. Co.*, No. CV-223741-FLA-RAO, 2023 WL 9004983, at *21 (C.D. Cal. June 23, 2023) (denying motion to compel where the Request for Admission was a hypothetical not tied to the facts at issue and an affirmative response would not reduce the burden on a jury at trial) (*citing Advantus, Corp. v. Sandpiper of Cal., Inc.*, No. 19-cv-1892-CAB (NLS), 2021 WL 2038318, at *2 (S.D. Cal. May 21, 2021) and *Apple Inc. v. Samsung Elecs. Co.*, No. C 11-cv-1846 LHK (PSG), 2012 WL 952254, at *4 (N.D. Cal. Mar. 20, 2012)).

Subject to and without waiver of the foregoing objections, Plaintiff admits this Request.

REQUEST FOR ADMISSION NO. 74:

Admit that YOU have not granted another PERSON the right to license YOUR ASSERTED WORK(S) as training data for LLMs.

RESPONSE TO REQUEST NO. 74:

Plaintiff objects to this Request as unreasonably cumulative of Requests for Admissions Numbers 9, 10, 11, 69, and 70. *See e.g., Thorpe v. Hearn*, No. 219CV1974KJMKJNP, 2022 WL 902891, at *5 (E.D. Cal. Mar. 28, 2022) (“Where requests for admission ... are unreasonably cumulative and duplicative of other discovery taken in the case, the requests do not serve the purpose of Rule 36(a) and are properly subject to objection.”) (internal citations omitted); *see also K.C.R. v. Cnty. of Los Angeles*, No. CV 13-3806 PSG SSX, 2014 WL 3433925, at *4 (C.D. Cal. July 14, 2014).

Subject to and without waiver of the foregoing objections, Plaintiff admits this Request.

REQUEST FOR ADMISSION NO. 75:

Admit that YOUR ASSERTED WORK(S) are published.

RESPONSE TO REQUEST NO. 75:

Plaintiff admits that Plaintiff’s ASSERTED WORKS are published.

REQUEST FOR ADMISSION NO. 76:

Admit that YOUR ASSERTED WORK(S) were published before the acts of purported infringement by Meta alleged in the COMPLAINT.

RESPONSE TO REQUEST NO. 76:

Plaintiff admits that Plaintiff's ASSERTED WORKS were published prior to Meta's infringement as alleged in the operative complaint, and therefore admits this Request.

REQUEST FOR ADMISSION NO. 77:

Admit that not all of the ASSERTED WORK(S) (including those of YOUR co-Plaintiffs) are of the same genre.

RESPONSE TO REQUEST NO. 77:

Plaintiff objects to this Request as vague and ambiguous as to the term "genre," as the term is subject to different interpretations.

Subject to and without waiving the foregoing objection, Plaintiff states that Plaintiff lacks sufficient knowledge or information to respond to this Request regarding the content of the ASSERTED WORKS of any other Plaintiff. Plaintiff therefore lacks sufficient knowledge to admit or deny this Request.

REQUEST FOR ADMISSION NO. 78:

Admit that you are not aware of any agreements to assign rights in or to YOUR ASSERTED WORK(S) that have not already been produced in this ACTION.

RESPONSE TO REQUEST NO. 78:

Plaintiff objects to this Request as vague and ambiguous as to the phrases "any agreements" and "assign rights in or to." Plaintiff further objects to this Request as compound and ambiguous, because it includes the disjunctive phrase, "in or to." "[R]equests for admissions should not contain 'compound, conjunctive, or disjunctive ... statements.'" *James v. Maguire Corr. Facility*, No. C 10-1795 SI PR, 2012 WL 3939343, at *4 (N.D. Cal. Sept. 10, 2012) (*quoting U.S. ex rel. England v. Los Angeles County*, 235 F.R.D. 675, 684 (E.D. Cal. 2006)); *see also King v. Biter*, No. 1:15-CV-00414-LJO-SAB, 2018 WL 339052, at *6 (E.D. Cal. Jan. 9, 2018).

Dated: November 18, 2024

By: /s/ Joseph R. Saveri

Joseph R. Saveri

BOIES SCHILLER FLEXNER LLP

JOSEPH SAVERI LAW FIRM, LLP

David Boies (*pro hac vice*)
333 Main Street
Armonk, NY 10504
(914) 749-8200
dboies@bsflp.com

Joseph R. Saveri (SBN 130064)
Cadio Zirpoli (SBN 179108)
Christopher K.L. Young (SBN 318371)
Holden Benon (SBN 325847)
Aaron Cera (SBN 351163)
Margaux Poueymirou (SBN 35600)
601 California Street, Suite 1505
San Francisco, California 94108
(415) 500-6800
jsaveri@saverilawfirm.com
czirpoli@saverilawfirm.com
cyoung@saverilawfirm.com
hbenon@saverilawfirm.com
acera@saverilawfirm.com
mpoueymirou@saverilawfirm.com

Maxwell V. Pritt (SBN 253155)
Joshua I. Schiller (SBN 330653)
Joshua M. Stein (SBN 298856)
44 Montgomery Street, 41st Floor
San Francisco, CA 94104
(415) 293-6800
mpritt@bsflp.com
jischiller@bsflp.com
jstein@bsflp.com

Jesse Panuccio (*pro hac vice*)
1401 New York Ave, NW
Washington, DC 20005
(202) 237-2727
jpanuccio@bsflp.com

Matthew Butterick (SBN 250953)
1920 Hillhurst Avenue, #406
Los Angeles, CA 90027
(323) 968-2632
mb@buttericklaw.com

David L. Simons (*pro hac vice*)
55 Hudson Yards, 20th Floor
New York, NY 10001
(914) 749-8200
dsimons@bsflp.com

CAFFERTY CLOBES MERIWETHER & SPRENGEL LLP

Bryan L. Clobes (*pro hac vice*)
135 S. LaSalle Street, Suite 3210
Chicago, IL 60603
(312) 782-4880
bclobes@caffertyclobes.com

[continued on next page]

Bryan L. Clobes (pro hac vice)
Alexander J. Sweatman (pro hac vice)
Mohammed A. Rathur (pro hac vice)
**CAFFERTY CLOBES MERIWETHER
& SPRENGEL LLP**
135 South LaSalle Street, Suite 3210
Chicago, IL 60603
Telephone: (312) 782-4880
Email: bclobes@caffertyclobes.com
asweatman@caffertyclobes.com
mrathur@caffertyclobes.com
*Counsel for Individual and
Representative Plaintiffs and the
Proposed Class*

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

RICHARD KADREY, SARAH SILVERMAN,
CHRISTOPHER GOLDEN, TA-NEHISI
COATES, JUNOT DÍAZ, DAVID HENRY
HWANG, ANDREW SEAN GREER,
MATTHEW KLAM, LAURA LIPPMAN,
RACHEL LOUISE SNYDER, JACQUELINE
WOODSON, AND LYSA TERKEURST,

Individual and Representative Plaintiffs,

v.

META PLATFORMS, INC.;

Defendant.

Case No. 3:23-cv-03417-VC

**PLAINTIFF ANDREW SEAN GREER'S
RESPONSES AND OBJECTIONS TO
DEFENDANT META PLATFORMS,
INC.'S THIRD SET OF REQUESTS FOR
ADMISSION**

PROPOUNDING PARTY: Defendant Meta Platforms, Inc.

RESPONDING PARTY: ANDREW SEAN GREER

SET NUMBER: Three (3)

7, 2016) (“Since requests to admit ‘must be connected to the facts of the case, courts do not permit ‘hypothetical’ questions within requests for admission.”); *Fullhorst v. Un. Techs. Auto., Inc.*, 1997 WL 873548, at *3 (D. Del. Nov. 17, 1997) (denying request “asking Plaintiff to admit to infringement in the context of the hypothetical use of its device”); Fed. R. Civ. P. 36 advisory committee’s note to 1946 amendment; *Universal Dyeing & Printing, Inc. v. Zoetop Bus. Co.*, No. CV223741FLARAOX, 2023 WL 9004983, at *21 (C.D. Cal. June 23, 2023) (denying motion to compel where the Request for Admission was a hypothetical not tied to the facts at issue and an affirmative response would not reduce the burden on a jury at trial) (citing *Advantus, Corp. v. Sandpiper of Cal., Inc.*, No.: 19cv1892-CAB (NLS), 2021 WL 2038318, at *2 (S.D. Cal. May 21, 2021) and *Apple Inc. v. Samsung Elecs. Co.*, No. C 11-cv-1846 LHK (PSG), 2012 WL 952254, at *4 (N.D. Cal. Mar. 20, 2012)). Subject to and without waiver of the foregoing objections, Plaintiff admits this Request.

REQUEST FOR ADMISSION 73:

Admit that YOU have not granted another PERSON the right to license YOUR ASSERTED WORK(S) as training data for LLMs.

RESPONSE TO REQUEST NO. 73:

Plaintiff objects to this Request as unreasonably cumulative of Requests for Admissions Numbers 9, 10, 11, 69, and 70. *See e.g., Thorpe v. Hearn*, No. 219CV1974KJMKJNP, 2022 WL 902891, at *5 (E.D. Cal. Mar. 28, 2022) (“Where requests for admission ... are unreasonably cumulative and duplicative of other discovery taken in the case, the requests do not serve the purpose of Rule 36(a) and are properly subject to objection.”) (internal citations omitted); *see also K.C.R. v. Cnty. of Los Angeles*, No. CV 13-3806 PSG SSX, 2014 WL 3433925, at *4 (C.D. Cal. July 14, 2014). Subject to and without waiver of the foregoing objections, Plaintiff admits this Request.

REQUEST FOR ADMISSION 74:

Admit that YOUR ASSERTED WORK(S) are published.

RESPONSE TO REQUEST NO. 74:

1 Plaintiff admits that Plaintiff's ASSERTED WORKS are published.

2 **REQUEST FOR ADMISSION 75:**

3 Admit that YOUR ASSERTED WORK(S) were published before the acts of purported
4 infringement by Meta alleged in the COMPLAINT.

5 **RESPONSE TO REQUEST NO. 75:**

6 Plaintiff admits that Plaintiff's ASSERTED WORKS were published prior to Meta's infringement
7 as alleged in the operative complaint, and therefore admits this Request.

8 **REQUEST FOR ADMISSION 76:**

9 Admit that not all of the ASSERTED WORK(S) (including those of YOUR co-Plaintiffs) are of
10 the same genre.

11 **RESPONSE TO REQUEST NO. 76:**

12 Plaintiff objects to this Request as vague and ambiguous as to the term "genre," as the term is
13 subject to different interpretations. Subject to and without waiving the foregoing objection,
14 Plaintiff further states that Plaintiff lacks sufficient knowledge or information to respond to this
15 Request regarding the content of the ASSERTED WORKS of any other Plaintiff. Plaintiff therefore
16 lacks sufficient knowledge to either admit or deny this Request.

17 **REQUEST FOR ADMISSION 77:**

18 Admit that you are not aware of any agreements to assign rights in or to YOUR ASSERTED
19 WORK(S) that have not already been produced in this ACTION.

20 **RESPONSE TO REQUEST NO. 77:**

21 Plaintiff objects to this Request as vague and ambiguous as to the phrase "any agreements" and
22 "assign rights in or to." Plaintiff further objects to this Request as compound and ambiguous,
23 because it includes the disjunctive phrase, "in or to." "[R]equests for admissions should not contain
24 'compound, conjunctive, or disjunctive ... statements.'" *James v. Maguire Corr. Facility*, No. C
25 10-1795 SI PR, 2012 WL 3939343, at *4 (N.D. Cal. Sept. 10, 2012) (*quoting U.S. ex rel. England*
26 *v. Los Angeles County*, 235 F.R.D. 675, 684 (E.D. Cal. 2006)); *see also King v. Biter*, No.

1 115CV00414LJOSABPC, 2018 WL 339052, at *6 (E.D. Cal. Jan. 9, 2018). Subject to and without
2 waiving the foregoing objections, Plaintiff admits discovery is ongoing. Plaintiff further admits
3 that Plaintiff has produced non-privileged documents in Plaintiff's possession, custody, or control,
4 responsive to Meta's requests for production regarding licensing agreements for Plaintiff's
5 ASSERTED WORKS. Plaintiff otherwise denies this Request.

6
7
8 Dated: November 18, 2024

By: /s/Mohammed A. Rathur
Mohammed A. Rathur

9
10 Bryan L. Clobes (pro hac vice)
Alexander J. Sweatman (pro hac vice)
Mohammed A. Rathur (pro hac vice)
11 **CAFFERTY CLOBES MERIWETHER**
& SPRENGEL LLP
12 135 South LaSalle Street, Suite 3210
Chicago, IL 60603
13 Telephone: (312) 782-4880
Email: bclobes@caffertyclobes.com
14 asweatman@caffertyclobes.com
15 mrathur@caffertyclobes.com

16 *Counsel for Plaintiffs and the Proposed Class*
17
18
19
20
21
22
23
24
25
26
27

Bryan L. Clobes (pro hac vice)
Alexander J. Sweatman (pro hac vice)
Mohammed A. Rathur (pro hac vice)
**CAFFERTY CLOBES MERIWETHER
& SPRENGEL LLP**
135 South LaSalle Street, Suite 3210
Chicago, IL 60603
Telephone: (312) 782-4880
Email: bclobes@caffertyclobes.com
asweatman@caffertyclobes.com
mrathur@caffertyclobes.com
*Counsel for Individual and
Representative Plaintiffs and the
Proposed Class*

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

RICHARD KADREY, SARAH SILVERMAN,
CHRISTOPHER GOLDEN, TA-NEHISI
COATES, JUNOT DÍAZ, ANDREW SEAN
GREER, DAVID HENRY HWANG,
MATTHEW KLAM, LAURA LIPPMAN,
RACHEL LOUISE SNYDER, JACQUELINE
WOODSON, AND LYSA TERKEURST,

Individual and Representative Plaintiffs,

v.

META PLATFORMS, INC.;

Defendant.

Case No. 3:23-cv-03417-VC

**PLAINTIFF DAVID HENRY HWANG'S
RESPONSES AND OBJECTIONS TO
DEFENDANT META PLATFORMS,
INC.'S THIRD SET OF REQUESTS FOR
ADMISSION**

PROPOUNDING PARTY: Defendant Meta Platforms, Inc.

RESPONDING PARTY: DAVID HENRY HWANG

SET NUMBER: Three (3)

1 duplicative of other discovery taken in the case, the requests do not serve the purpose of Rule 36(a)
2 and are properly subject to objection.”) (internal citations omitted); *see also K.C.R. v. Cnty. of Los*
3 *Angeles*, No. CV 13-3806 PSG SSX, 2014 WL 3433925, at *4 (C.D. Cal. July 14, 2014). Subject
4 to and without waiver of the foregoing objections, Plaintiff admits this Request.

5 **REQUEST FOR ADMISSION 73:**

6 Admit that YOUR ASSERTED WORK(S) are published.

7 **RESPONSE TO REQUEST NO. 73:**

8 Plaintiff admits that Plaintiff's ASSERTED WORKS are published.

9 **REQUEST FOR ADMISSION 74:**

10 Admit that YOUR ASSERTED WORK(S) were published before the acts of purported
11 infringement by Meta alleged in the COMPLAINT.

12 **RESPONSE TO REQUEST NO. 74:**

13 Plaintiff admits that Plaintiff's ASSERTED WORKS were published prior to Meta's infringement
14 as alleged in the operative complaint, and therefore admits this Request.

15 **REQUEST FOR ADMISSION 75:**

16 Admit that not all of the ASSERTED WORK(S) (including those of YOUR co-Plaintiffs) are of
17 the same genre.

18 **RESPONSE TO REQUEST NO. 75:**

19 Plaintiff objects to this Request as vague and ambiguous as to the term “genre,” as the term is
20 subject to different interpretations. Subject to and without waiving the foregoing objection,
21 Plaintiff further states that Plaintiff lacks sufficient knowledge or information to respond to this
22 Request regarding the content of the ASSERTED WORKS of any other Plaintiff. Plaintiff therefore
23 lacks sufficient knowledge to either admit or deny this Request.

24 **REQUEST FOR ADMISSION 76:**

25 Admit that you are not aware of any agreements to assign rights in or to YOUR ASSERTED
26 WORK(S) that have not already been produced in this ACTION.

RESPONSE TO REQUEST NO. 76:

Plaintiff objects to this Request as vague and ambiguous as to the phrase “any agreements” and “assign rights in or to.” Plaintiff further objects to this Request as compound and ambiguous, because it includes the disjunctive phrase, “in or to.” “[R]equests for admissions should not contain ‘compound, conjunctive, or disjunctive ... statements.’” *James v. Maguire Corr. Facility*, No. C 10-1795 SI PR, 2012 WL 3939343, at *4 (N.D. Cal. Sept. 10, 2012) (*quoting U.S. ex rel. England v. Los Angeles County*, 235 F.R.D. 675, 684 (E.D. Cal. 2006)); *see also King v. Biter*, No. 115CV00414LJOSABPC, 2018 WL 339052, at *6 (E.D. Cal. Jan. 9, 2018). Subject to and without waiving the foregoing objections, Plaintiff admits discovery is ongoing. Plaintiff further admits that Plaintiff has produced non-privileged documents in Plaintiff’s possession, custody, or control, responsive to Meta’s requests for production regarding licensing agreements for Plaintiff’s ASSERTED WORKS. Plaintiff otherwise denies this Request.

Dated: November 18, 2024

By: /s/Mohammed A. Rathur
Mohammed A. Rathur

Bryan L. Clobes (pro hac vice)
Alexander J. Sweatman (pro hac vice)
Mohammed A. Rathur (pro hac vice)
**CAFFERTY CLOBES MERIWETHER
& SPRENGEL LLP**
135 South LaSalle Street, Suite 3210
Chicago, IL 60603
Telephone: (312) 782-4880
Email: bclobes@caffertyclobes.com
asweatman@caffertyclobes.com
mrathur@caffertyclobes.com

Counsel for Plaintiffs and the Proposed Class

BOIES SCHILLER FLEXNER LLP

David Boies (*pro hac vice*)
333 Main Street
Armonk, NY 10504
(914) 749-8200
dboies@bsflp.com

Joseph R. Saveri (State Bar No. 130064)

JOSEPH SAVERI LAW FIRM, LLP

601 California Street, Suite 1505
San Francisco, California 94108
Telephone: (415) 500-6800
Facsimile: (415) 395-9940
Email: jsaveri@saverilawfirm.com

*Counsel for Individual and Representative Plaintiffs
and the Proposed Class*

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

Richard Kadrey, et al.,

Individual and Representative Plaintiffs,

v.

Meta Platforms, Inc.,

Defendant.

Lead Case No. 3:23-cv-03417-VC
Case No. 4:23-cv-06663

**PLAINTIFF RICHARD KADREY'S
RESPONSES TO DEFENDANT META
PLATFORMS, INC.'S THIRD SET OF
REQUESTS FOR ADMISSION**

1 duplicative of other discovery taken in the case, the requests do not serve the purpose of Rule 36(a) and
2 are properly subject to objection.”) (internal citations omitted); *see also K.C.R. v. Cnty. of Los Angeles*,
3 No. CV 13-3806 PSG SSX, 2014 WL 3433925, at *4 (C.D. Cal. July 14, 2014).

4 Subject to and without waiver of the foregoing objections, Plaintiff admits this Request.

5 **REQUEST FOR ADMISSION NO. 79:**

6 Admit that YOUR ASSERTED WORK(S) are published.

7 **RESPONSE TO REQUEST NO. 79:**

8 Plaintiff admits that Plaintiff’s ASSERTED WORKS are published.

9 **REQUEST FOR ADMISSION NO. 80:**

10 Admit that YOUR ASSERTED WORK(S) were published before the acts of purported
11 infringement by Meta alleged in the COMPLAINT.

12 **RESPONSE TO REQUEST NO. 80:**

13 Plaintiff admits that Plaintiff’s ASSERTED WORKS were published prior to Meta’s
14 infringement as alleged in the operative complaint, and therefore admits this Request.

15 **REQUEST FOR ADMISSION NO. 81:**

16 Admit that not all of the ASSERTED WORK(S) (including those of YOUR co-Plaintiffs)
17 are of the same genre.

18 **RESPONSE TO REQUEST NO. 81:**

19 Plaintiff objects to this Request as vague and ambiguous as to the term “genre,” as the term is
20 subject to different interpretations.

21 Subject to and without waiving the foregoing objection, Plaintiff states that Plaintiff lacks
22 sufficient knowledge or information to respond to this Request regarding the content of the
23 ASSERTED WORKS of any other Plaintiff. Plaintiff therefore lacks sufficient knowledge to admit or
24 deny this Request.

Dated: November 18, 2024

By: /s/ Joseph R. Saveri

Joseph R. Saveri

BOIES SCHILLER FLEXNER LLP

JOSEPH SAVERI LAW FIRM, LLP

David Boies (*pro hac vice*)
333 Main Street
Armonk, NY 10504
(914) 749-8200
dboies@bsflp.com

Joseph R. Saveri (SBN 130064)
Cadio Zirpoli (SBN 179108)
Christopher K.L. Young (SBN 318371)
Holden Benon (SBN 325847)
Aaron Cera (SBN 351163)
Margaux Poueymirou (SBN 35600)
601 California Street, Suite 1505
San Francisco, California 94108
(415) 500-6800
jsaveri@saverilawfirm.com
czirpoli@saverilawfirm.com
cyoung@saverilawfirm.com
hbenon@saverilawfirm.com
acera@saverilawfirm.com
mpoueymirou@saverilawfirm.com

Maxwell V. Pritt (SBN 253155)
Joshua I. Schiller (SBN 330653)
Joshua M. Stein (SBN 298856)
44 Montgomery Street, 41st Floor
San Francisco, CA 94104
(415) 293-6800
mpritt@bsflp.com
jischiller@bsflp.com
jstein@bsflp.com

Jesse Panuccio (*pro hac vice*)
1401 New York Ave, NW
Washington, DC 20005
(202) 237-2727
jpanuccio@bsflp.com

Matthew Butterick (SBN 250953)
1920 Hillhurst Avenue, #406
Los Angeles, CA 90027
(323) 968-2632
mb@buttericklaw.com

David L. Simons (*pro hac vice*)
55 Hudson Yards, 20th Floor
New York, NY 10001
(914) 749-8200
dsimons@bsflp.com

CAFFERTY CLOBES MERIWETHER & SPRENGEL LLP

Bryan L. Clobes (*pro hac vice*)
135 S. LaSalle Street, Suite 3210
Chicago, IL 60603
(312) 782-4880
bclobes@caffertyclobes.com

[continued on next page]

Bryan L. Clobes (pro hac vice)
Alexander J. Sweatman (pro hac vice)
Mohammed A. Rathur (pro hac vice)
**CAFFERTY CLOBES MERIWETHER
& SPRENGEL LLP**
135 South LaSalle Street, Suite 3210
Chicago, IL 60603
Telephone: (312) 782-4880
Email: bclobes@caffertyclobes.com
asweatman@caffertyclobes.com
mrathur@caffertyclobes.com

*Counsel for Plaintiffs and the Proposed Class,
Additional Counsel Listed Below*

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

RICHARD KADREY, SARAH SILVERMAN,
CHRISTOPHER GOLDEN, TA-NEHISI
COATES, JUNOT DÍAZ, ANDREW SEAN
GREER, DAVID HENRY HWANG,
MATTHEW KLAM, LAURA LIPPMAN,
RACHEL LOUISE SNYDER, JACQUELINE
WOODSON, AND LYSA TERKEURST,

Individual and Representative Plaintiffs,

v.

META PLATFORMS, INC.;

Defendant.

Case No. 3:23-cv-03417-VC

**PLAINTIFF MATTHEW KLAM'S
RESPONSES AND OBJECTIONS TO
DEFENDANT META PLATFORMS,
INC.'S THIRD SET OF REQUESTS FOR
ADMISSION**

PROPOUNDING PARTY: Defendant Meta Platforms, Inc.

RESPONDING PARTY: Matthew Klam

SET NUMBER: Three (3)

7, 2016) (“Since requests to admit ‘must be connected to the facts of the case, courts do not permit ‘hypothetical’ questions within requests for admission.”); *Fullhorst v. Un. Techs. Auto., Inc.*, 1997 WL 873548, at *3 (D. Del. Nov. 17, 1997) (denying request “asking Plaintiff to admit to infringement in the context of the hypothetical use of its device”); Fed. R. Civ. P. 36 advisory committee’s note to 1946 amendment; *Universal Dyeing & Printing, Inc. v. Zoetop Bus. Co.*, No. CV223741FLARAOX, 2023 WL 9004983, at *21 (C.D. Cal. June 23, 2023) (denying motion to compel where the Request for Admission was a hypothetical not tied to the facts at issue and an affirmative response would not reduce the burden on a jury at trial) (citing *Advantus, Corp. v. Sandpiper of Cal., Inc.*, No.: 19cv1892-CAB (NLS), 2021 WL 2038318, at *2 (S.D. Cal. May 21, 2021) and *Apple Inc. v. Samsung Elecs. Co.*, No. C 11-cv-1846 LHK (PSG), 2012 WL 952254, at *4 (N.D. Cal. Mar. 20, 2012)). Subject to and without waiver of the foregoing objections, Plaintiff admits this Request.

REQUEST FOR ADMISSION 70:

Admit that YOU have not granted another PERSON the right to license YOUR ASSERTED WORK(S) as training data for LLMs.

RESPONSE TO REQUEST NO. 70:

Plaintiff objects to this Request as unreasonably cumulative of Requests for Admissions Numbers 9, 10, 11, 69, and 70. *See e.g., Thorpe v. Hearn*, No. 219CV1974KJMKJNP, 2022 WL 902891, at *5 (E.D. Cal. Mar. 28, 2022) (“Where requests for admission ... are unreasonably cumulative and duplicative of other discovery taken in the case, the requests do not serve the purpose of Rule 36(a) and are properly subject to objection.”) (internal citations omitted); *see also K.C.R. v. Cnty. of Los Angeles*, No. CV 13-3806 PSG SSX, 2014 WL 3433925, at *4 (C.D. Cal. July 14, 2014). Subject to and without waiver of the foregoing objections, Plaintiff admits this Request.

REQUEST FOR ADMISSION 71:

Admit that YOUR ASSERTED WORK(S) are published.

RESPONSE TO REQUEST NO. 71:

1 Plaintiff admits that Plaintiff's ASSERTED WORKS are published.

2 **REQUEST FOR ADMISSION 72:**

3 Admit that YOUR ASSERTED WORK(S) were published before the acts of purported
4 infringement by Meta alleged in the COMPLAINT.

5 **RESPONSE TO REQUEST NO. 72:**

6 Plaintiff admits that Plaintiff's ASSERTED WORKS were published prior to Meta's infringement
7 as alleged in the operative complaint, and therefore admits this Request.

8 **REQUEST FOR ADMISSION 73:**

9 Admit that not all of the ASSERTED WORK(S) (including those of YOUR co-Plaintiffs) are of
10 the same genre.

11 **RESPONSE TO REQUEST NO. 73:**

12 Plaintiff objects to this Request as vague and ambiguous as to the term "genre," as the term is
13 subject to different interpretations. Subject to and without waiving the foregoing objection,
14 Plaintiff further states that Plaintiff lacks sufficient knowledge or information to respond to this
15 Request regarding the content of the ASSERTED WORKS of any other Plaintiff. Plaintiff therefore
16 lacks sufficient knowledge to either admit or deny this Request.

17 **REQUEST FOR ADMISSION 74:**

18 Admit that you are not aware of any agreements to assign rights in or to YOUR ASSERTED
19 WORK(S) that have not already been produced in this ACTION.

20 **RESPONSE TO REQUEST NO. 74:**

21 Plaintiff objects to this Request as vague and ambiguous as to the phrase "any agreements" and
22 "assign rights in or to." Plaintiff further objects to this Request as compound and ambiguous,
23 because it includes the disjunctive phrase, "in or to." "[R]equests for admissions should not contain
24 'compound, conjunctive, or disjunctive ... statements.'" *James v. Maguire Corr. Facility*, No. C
25 10-1795 SI PR, 2012 WL 3939343, at *4 (N.D. Cal. Sept. 10, 2012) (*quoting U.S. ex rel. England*
26 *v. Los Angeles County*, 235 F.R.D. 675, 684 (E.D. Cal. 2006)); *see also King v. Biter*, No.

Dated: November 18, 2024

By: /s/Mohammed A. Rathur
Mohammed A. Rathur

Bryan L. Clobes (pro hac vice)
Alexander J. Sweatman (pro hac vice)
Mohammed A. Rathur (pro hac vice)
**CAFFERTY CLOBES MERIWETHER
& SPRENGEL LLP**
135 South LaSalle Street, Suite 3210
Chicago, IL 60603
Telephone: (312) 782-4880
Email: bclobes@caffertyclobes.com
asweatman@caffertyclobes.com
mrathur@caffertyclobes.com

*Counsel for Plaintiffs and the Proposed Class
Class*

Bryan L. Clobes (pro hac vice)
Alexander J. Sweatman (pro hac vice)
Mohammed A. Rathur (pro hac vice)
**CAFFERTY CLOBES MERIWETHER
& SPRENGEL LLP**
135 South LaSalle Street, Suite 3210
Chicago, IL 60603
Telephone: (312) 782-4880
Email: bclobes@caffertyclobes.com
asweatman@caffertyclobes.com
mrathur@caffertyclobes.com
*Counsel for Individual and
Representative Plaintiffs and the
Proposed Class*

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

RICHARD KADREY, SARAH SILVERMAN,
CHRISTOPHER GOLDEN, TA-NEHISI
COATES, JUNOT DÍAZ, ANDREW SEAN
GREER, DAVID HENRY HWANG,
MATTHEW KLAM, LAURA LIPPMAN,
RACHEL LOUISE SNYDER, JACQUELINE
WOODSON, AND LYSA TERKEURST,

Individual and Representative Plaintiffs,

v.

META PLATFORMS, INC.;

Defendant.

Case No. 3:23-cv-03417-VC

**PLAINTIFF LAURA LIPPMAN'S
RESPONSES AND OBJECTIONS TO
DEFENDANT META PLATFORMS,
INC.'S THIRD SET OF REQUESTS FOR
ADMISSION**

PROPOUNDING PARTY: Defendant Meta Platforms, Inc.

RESPONDING PARTY: LAURA LIPPMAN

SET NUMBER: Three (3)

1 RESPONSE TO REQUEST NO. 78:

2 Plaintiff objects to this Request as unreasonably cumulative of Requests for Admissions Numbers
 3 9, 10, 11, 69, and 70. *See e.g., Thorpe v. Hearn*, No. 219CV1974KJMKJNP, 2022 WL 902891, at
 4 *5 (E.D. Cal. Mar. 28, 2022) (“Where requests for admission ... are unreasonably cumulative and
 5 duplicative of other discovery taken in the case, the requests do not serve the purpose of Rule 36(a)
 6 and are properly subject to objection.”) (internal citations omitted); *see also K.C.R. v. Cnty. of Los*
 7 *Angeles*, No. CV 13-3806 PSG SSX, 2014 WL 3433925, at *4 (C.D. Cal. July 14, 2014). Subject
 8 to and without waiver of the foregoing objections, Plaintiff admits this Request.

9 REQUEST FOR ADMISSION 79:

10 Admit that YOUR ASSERTED WORK(S) are published.

11 RESPONSE TO REQUEST NO. 79:

12 Plaintiff admits that Plaintiff’s ASSERTED WORKS are published.

13 REQUEST FOR ADMISSION 80:

14 Admit that YOUR ASSERTED WORK(S) were published before the acts of purported
 15 infringement by Meta alleged in the COMPLAINT.

16 RESPONSE TO REQUEST NO. 80:

17 Plaintiff admits that Plaintiff’s ASSERTED WORKS were published prior to Meta’s infringement
 18 as alleged in the operative complaint, and therefore admits this Request.

19 REQUEST FOR ADMISSION 81:

20 Admit that not all of the ASSERTED WORK(S) (including those of YOUR co-Plaintiffs) are of
 21 the same genre.

22 RESPONSE TO REQUEST NO. 81:

23 Plaintiff objects to this Request as vague and ambiguous as to the term “genre,” as the term is
 24 subject to different interpretations. Subject to and without waiving the foregoing objection,
 25 Plaintiff further states that Plaintiff lacks sufficient knowledge or information to respond to this
 26

1 Request regarding the content of the ASSERTED WORKS of any other Plaintiff. Plaintiff therefore
 2 lacks sufficient knowledge to either admit or deny this Request.

3 **REQUEST FOR ADMISSION 82:**

4 Admit that you are not aware of any agreements to assign rights in or to YOUR ASSERTED
 5 WORK(S) that have not already been produced in this ACTION.

6 **RESPONSE TO REQUEST NO. 82:**

7 Plaintiff objects to this Request as vague and ambiguous as to the phrase “any agreements” and
 8 “assign rights in or to.” Plaintiff further objects to this Request as compound and ambiguous,
 9 because it includes the disjunctive phrase, “in or to.” “[R]equests for admissions should not contain
 10 ‘compound, conjunctive, or disjunctive ... statements.’” *James v. Maguire Corr. Facility*, No. C
 11 10-1795 SI PR, 2012 WL 3939343, at *4 (N.D. Cal. Sept. 10, 2012) (*quoting U.S. ex rel. England*
 12 *v. Los Angeles County*, 235 F.R.D. 675, 684 (E.D. Cal. 2006)); *see also King v. Biter*, No.
 13 115CV00414LJOSABPC, 2018 WL 339052, at *6 (E.D. Cal. Jan. 9, 2018). Subject to and without
 14 waiving the foregoing objections, Plaintiff admits discovery is ongoing. Plaintiff further admits
 15 that Plaintiff has produced non-privileged documents in Plaintiff’s possession, custody, or control,
 16 responsive to Meta’s requests for production regarding licensing agreements for Plaintiff’s
 17 ASSERTED WORKS. Plaintiff otherwise denies this Request.

18
 19 Dated: November 18, 2024

By: /s/Mohammed A. Rathur
 Mohammed A. Rathur

20 Bryan L. Clobes (pro hac vice)
 21 Alexander J. Sweatman (pro hac vice)
 22 Mohammed A. Rathur (pro hac vice)
CAFFERTY CLOBES MERIWETHER
& SPRENGEL LLP
 23 135 South LaSalle Street, Suite 3210
 Chicago, IL 60603
 24 Telephone: (312) 782-4880
 Email: bclobes@caffertyclobes.com
 25 asweatman@caffertyclobes.com
 26 mrathur@caffertyclobes.com

BOIES SCHILLER FLEXNER LLP

David Boies (*pro hac vice*)
333 Main Street
Armonk, NY 10504
(914) 749-8200
dboies@bsflp.com

Joseph R. Saveri (State Bar No. 130064)

JOSEPH SAVERI LAW FIRM, LLP

601 California Street, Suite 1505
San Francisco, California 94108
Telephone: (415) 500-6800
Facsimile: (415) 395-9940
Email: jsaveri@saverilawfirm.com

*Counsel for Individual and Representative Plaintiffs
and the Proposed Class*

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

Richard Kadrey, et al.,

Individual and Representative Plaintiffs,

v.

Meta Platforms, Inc.,

Defendant.

Lead Case No. 3:23-cv-03417-VC
Case No. 4:23-cv-06663

**PLAINTIFF SARAH SILVERMAN'S
RESPONSES TO DEFENDANT META
PLATFORMS, INC.'S THIRD SET OF
REQUESTS FOR ADMISSION**

Plaintiff to admit to infringement in the context of the hypothetical use of its device”); Fed. R. Civ. P. 36 advisory committee’s note to 1946 amendment; *Universal Dyeing & Printing, Inc. v. Zoetop Bus. Co.*, No. CV-223741-FLA-RAO, 2023 WL 9004983, at *21 (C.D. Cal. June 23, 2023) (denying motion to compel where the Request for Admission was a hypothetical not tied to the facts at issue and an affirmative response would not reduce the burden on a jury at trial) (*citing Advantus, Corp. v. Sandpiper of Cal., Inc.*, No. 19-cv-1892-CAB (NLS), 2021 WL 2038318, at *2 (S.D. Cal. May 21, 2021) and *Apple Inc. v. Samsung Elecs. Co.*, No. C 11-cv-1846 LHK (PSG), 2012 WL 952254, at *4 (N.D. Cal. Mar. 20, 2012)).

Subject to and without waiver of the foregoing objections, Plaintiff admits this Request.

REQUEST FOR ADMISSION NO. 68:

Admit that YOU have not granted another PERSON the right to license YOUR ASSERTED WORK(S) as training data for LLMs.

RESPONSE TO REQUEST NO. 68:

Plaintiff objects to this Request as unreasonably cumulative of Requests for Admissions Numbers 9, 10, 11, 69, and 70. *See e.g., Thorpe v. Hearn*, No. 219CV1974KJMKJNP, 2022 WL 902891, at *5 (E.D. Cal. Mar. 28, 2022) (“Where requests for admission ... are unreasonably cumulative and duplicative of other discovery taken in the case, the requests do not serve the purpose of Rule 36(a) and are properly subject to objection.”) (internal citations omitted); *see also K.C.R. v. Cnty. of Los Angeles*, No. CV 13-3806 PSG SSX, 2014 WL 3433925, at *4 (C.D. Cal. July 14, 2014).

Subject to and without waiver of the foregoing objections, Plaintiff admits this Request.

REQUEST FOR ADMISSION NO. 69:

Admit that YOUR ASSERTED WORK(S) are published.

RESPONSE TO REQUEST NO. 69:

Plaintiff admits that Plaintiff’s ASSERTED WORK is published.

REQUEST FOR ADMISSION NO. 70:

Admit that YOUR ASSERTED WORK(S) were published before the acts of purported infringement by Meta alleged in the COMPLAINT.

RESPONSE TO REQUEST NO. 70:

Plaintiff admits that Plaintiff's ASSERTED WORK was published prior to Meta's infringement as alleged in the operative complaint, and therefore admits this Request.

REQUEST FOR ADMISSION NO. 71:

Admit that not all of the ASSERTED WORK(S) (including those of YOUR co-Plaintiffs) are of the same genre.

RESPONSE TO REQUEST NO. 71:

Plaintiff objects to this Request as vague and ambiguous as to the term "genre," as the term is subject to different interpretations.

Subject to and without waiving the foregoing objection, Plaintiff states that Plaintiff lacks sufficient knowledge or information to respond to this Request regarding the content of the ASSERTED WORKS of any other Plaintiff. Plaintiff therefore lacks sufficient knowledge to admit or deny this Request.

REQUEST FOR ADMISSION NO. 72:

Admit that you are not aware of any agreements to assign rights in or to YOUR ASSERTED WORK(S) that have not already been produced in this ACTION.

RESPONSE TO REQUEST NO. 72:

Plaintiff objects to this Request as vague and ambiguous as to the phrases "any agreements" and "assign rights in or to." Plaintiff further objects to this Request as compound and ambiguous, because it includes the disjunctive phrase, "in or to." "[R]equests for admissions should not contain 'compound, conjunctive, or disjunctive ... statements.'" *James v. Maguire Corr. Facility*, No. C 10-1795 SI PR, 2012 WL 3939343, at *4 (N.D. Cal. Sept. 10, 2012) (*quoting U.S. ex rel. England v. Los Angeles County*, 235 F.R.D. 675, 684 (E.D. Cal. 2006)); *see also King v. Biter*, No. 1:15-CV-00414-LJO-SAB, 2018 WL 339052, at *6 (E.D. Cal. Jan. 9, 2018).

Dated: November 18, 2024

By: /s/ Joseph R. Saveri

Joseph R. Saveri

BOIES SCHILLER FLEXNER LLP

JOSEPH SAVERI LAW FIRM, LLP

David Boies (*pro hac vice*)
333 Main Street
Armonk, NY 10504
(914) 749-8200
dboies@bsflp.com

Joseph R. Saveri (SBN 130064)
Cadio Zirpoli (SBN 179108)
Christopher K.L. Young (SBN 318371)
Holden Benon (SBN 325847)
Aaron Cera (SBN 351163)
Margaux Poueymirou (SBN 35600)
601 California Street, Suite 1505
San Francisco, California 94108
(415) 500-6800
jsaveri@saverilawfirm.com
czirpoli@saverilawfirm.com
cyoung@saverilawfirm.com
hbenon@saverilawfirm.com
acera@saverilawfirm.com
mpoueymirou@saverilawfirm.com

Maxwell V. Pritt (SBN 253155)
Joshua I. Schiller (SBN 330653)
Joshua M. Stein (SBN 298856)
44 Montgomery Street, 41st Floor
San Francisco, CA 94104
(415) 293-6800
mpritt@bsflp.com
jischiller@bsflp.com
jstein@bsflp.com

Matthew Butterick (SBN 250953)
1920 Hillhurst Avenue, #406
Los Angeles, CA 90027
(323) 968-2632
mb@buttericklaw.com

Jesse Panuccio (*pro hac vice*)
1401 New York Ave, NW
Washington, DC 20005
(202) 237-2727
jpanuccio@bsflp.com

CAFFERTY CLOBES MERIWETHER & SPRENGEL LLP

Bryan L. Clobes (*pro hac vice*)
135 S. LaSalle Street, Suite 3210
Chicago, IL 60603
(312) 782-4880
bclobes@caffertyclobes.com

David L. Simons (*pro hac vice*)
55 Hudson Yards, 20th Floor
New York, NY 10001
(914) 749-8200
dsimons@bsflp.com

[continued on next page]

Bryan L. Clobes (pro hac vice)
Alexander J. Sweatman (pro hac vice)
Mohammed A. Rathur (pro hac vice)
**CAFFERTY CLOBES MERIWETHER
& SPRENGEL LLP**
135 South LaSalle Street, Suite 3210
Chicago, IL 60603
Telephone: (312) 782-4880
Email: bclobes@caffertyclobes.com
asweatman@caffertyclobes.com
mrathur@caffertyclobes.com
*Counsel for Individual and
Representative Plaintiffs and the
Proposed Class*

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

RICHARD KADREY, SARAH SILVERMAN,
CHRISTOPHER GOLDEN, TA-NEHISI
COATES, JUNOT DÍAZ, ANDREW SEAN
GREER, DAVID HENRY HWANG,
MATTHEW KLAM, LAURA LIPPMAN,
RACHEL LOUISE SNYDER, JACQUELINE
WOODSON, AND LYSA TERKEURST,

Individual and Representative Plaintiffs,

v.

META PLATFORMS, INC.;

Defendant.

Case No. 3:23-cv-03417-VC

**PLAINTIFF RACHEL LOUISE
SNYDER'S RESPONSES AND
OBJECTIONS TO DEFENDANT META
PLATFORMS, INC.'S THIRD SET OF
REQUESTS FOR ADMISSION**

PROPOUNDING PARTY: Defendant Meta Platforms, Inc.

RESPONDING PARTY: RACHEL LOUISE SNYDER

SET NUMBER: Three (3)

1 affirmative response would not reduce the burden on a jury at trial) (*citing Advantus, Corp. v.*
 2 *Sandpiper of Cal., Inc.*, No.: 19cv1892-CAB (NLS), 2021 WL 2038318, at *2 (S.D. Cal. May 21,
 3 2021) and *Apple Inc. v. Samsung Elecs. Co.*, No. C 11-cv-1846 LHK (PSG), 2012 WL 952254, at
 4 *4 (N.D. Cal. Mar. 20, 2012)). Subject to and without waiver of the foregoing objections, Plaintiff
 5 admits this Request.

6 **REQUEST FOR ADMISSION 68:**

7 Admit that YOU have not granted another PERSON the right to license YOUR ASSERTED
 8 WORK(S) as training data for LLMs.

9 **RESPONSE TO REQUEST NO. 68:**

10 Plaintiff objects to this Request as unreasonably cumulative of Requests for Admissions Numbers
 11 9, 10, 11, 69, and 70. *See e.g., Thorpe v. Hearn*, No. 219CV1974KJMKJNP, 2022 WL 902891, at
 12 *5 (E.D. Cal. Mar. 28, 2022) (“Where requests for admission ... are unreasonably cumulative and
 13 duplicative of other discovery taken in the case, the requests do not serve the purpose of Rule 36(a)
 14 and are properly subject to objection.”) (internal citations omitted); *see also K.C.R. v. Cnty. of Los*
 15 *Angeles*, No. CV 13-3806 PSG SSX, 2014 WL 3433925, at *4 (C.D. Cal. July 14, 2014). Subject
 16 to and without waiver of the foregoing objections, Plaintiff admits this Request.

17 **REQUEST FOR ADMISSION 69:**

18 Admit that YOUR ASSERTED WORK(S) are published.

19 **RESPONSE TO REQUEST NO. 69:**

20 Plaintiff admits that Plaintiff’s ASSERTED WORKS are published.

21 **REQUEST FOR ADMISSION 70:**

22 Admit that YOUR ASSERTED WORK(S) were published before the acts of purported
 23 infringement by Meta alleged in the COMPLAINT.

24 **RESPONSE TO REQUEST NO. 70:**

25 Plaintiff admits that Plaintiff’s ASSERTED WORKS were published prior to Meta’s infringement
 26 as alleged in the operative complaint, and therefore admits this Request.

1
2 Dated: November 18, 2024

By: /s/Mohammed A. Rathur
Mohammed A. Rathur

3 Bryan L. Clobes (pro hac vice)
4 Alexander J. Sweatman (pro hac vice)
5 Mohammed A. Rathur (pro hac vice)
6 **CAFFERTY CLOBES MERIWETHER**
7 **& SPRENGEL LLP**
8 135 South LaSalle Street, Suite 3210
9 Chicago, IL 60603
10 Telephone: (312) 782-4880
11 Email: bclobes@caffertyclobes.com
12 asweatman@caffertyclobes.com
13 mrathur@caffertyclobes.com
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Counsel for Plaintiffs and the Proposed Class

1 Nada Djordjevic (admitted *pro hac vice*)
2 10 North Dearborn St., Sixth Floor
3 Chicago, Illinois 60602
4 Tel.: (312) 214-7900
5 Email: ndjordjevic@dicellolevitt.com

6 *Counsel for Plaintiffs and the Proposed*
7 *Class, Additional Counsel Listed Below*

8 UNITED STATES DISTRICT COURT
9
10 NORTHERN DISTRICT OF CALIFORNIA

11 RICHARD KADREY, SARAH SILVERMAN,
12 CHRISTOPHER GOLDEN, TA-NEHISI
13 COATES, JUNOT DÍAZ, ANDREW SEAN
14 GREER, DAVID HENRY HWANG,
15 MATTHEW KLAM, LAURA LIPPMAN,
16 RACHEL LOUISE SNYDER, JACQUELINE
17 WOODSON, AND LYSA TERKEURST,

18 *Individual and Representative Plaintiffs,*

19 v.

20 META PLATFORMS, INC.;

21 *Defendant.*

Case No. 3:23-cv-03417-VC

22 **PLAINTIFF LYSA TERKEURST'S**
23 **RESPONSES AND OBJECTIONS TO**
24 **DEFENDANT META PLATFORMS,**
25 **INC.'S THIRD SET OF REQUESTS FOR**
26 **ADMISSION**

27 **PROPOUNDING PARTY: Defendant Meta Platforms, Inc.**

28 **RESPONDING PARTY: Lysa TerKeurst**

SET NUMBER: Three (3)

facts of the case. *See, e.g., Buchanan v. Chi. Transit Auth.*, 2016 WL 7116591, at *5 (N.D. Ill. Dec. 7, 2016) (“Since requests to admit ‘must be connected to the facts of the case, courts do not permit “hypothetical” questions within requests for admission.”); *Fulhorst v. Un. Techs. Auto., Inc.*, 1997 WL 873548, at *3 (D. Del. Nov. 17, 1997) (denying request “asking Plaintiff to admit to infringement in the context of the hypothetical use of its device”); Fed. R. Civ. P. 36 advisory committee’s note to 1946 amendment; *Universal Dyeing & Printing, Inc. v. Zoetop Bus. Co.*, No. CV223741FLARAOX, 2023 WL 9004983, at *21 (C.D. Cal. June 23, 2023) (denying motion to compel where the Request for Admission was a hypothetical not tied to the facts at issue and an affirmative response would not reduce the burden on a jury at trial) (*citing Advantus, Corp. v. Sandpiper of Cal., Inc.*, No.: 19cv1892-CAB (NLS), 2021 WL 2038318, at *2 (S.D. Cal. May 21, 2021) and *Apple Inc. v. Samsung Elecs. Co.*, No. C 11-cv-1846 LHK (PSG), 2012 WL 952254, at *4 (N.D. Cal. Mar. 20, 2012)). Subject to and without waiver of the foregoing objections, Plaintiff admits this Request.

REQUEST FOR ADMISSION 72:

Admit that YOU have not granted another PERSON the right to license YOUR ASSERTED WORK(S) as training data for LLMs.

RESPONSE TO REQUEST NO. 72:

Plaintiff objects to this Request as unreasonably cumulative of Requests for Admissions Numbers 9, 10, 11, 69, and 70. *See e.g., Thorpe v. Hearn*, No. 219CV1974KJMKJNP, 2022 WL 902891, at *5 (E.D. Cal. Mar. 28, 2022) (“Where requests for admission ... are unreasonably cumulative and duplicative of other discovery taken in the case, the requests do not serve the purpose of Rule 36(a) and are properly subject to objection.”) (internal citations omitted); *see also K.C.R. v. Cnty. of Los Angeles*, No. CV 13-3806 PSG SSX, 2014 WL 3433925, at *4 (C.D. Cal. July 14, 2014). Subject to and without waiver of the foregoing objections, Plaintiff admits this Request.

REQUEST FOR ADMISSION 73:

Admit that YOUR ASSERTED WORK(S) are published.

1 **RESPONSE TO REQUEST NO. 73:**

2 Plaintiff admits that Plaintiff's ASSERTED WORKS are published.

3 **REQUEST FOR ADMISSION 74:**

4 Admit that YOUR ASSERTED WORK(S) were published before the acts of purported
5 infringement by Meta alleged in the COMPLAINT.

6 **RESPONSE TO REQUEST NO. 74:**

7 Plaintiff admits that Plaintiff's ASSERTED WORKS were published prior to Meta's infringement
8 as alleged in the operative COMPLAINT.

9 **REQUEST FOR ADMISSION 75:**

10 Admit that not all of the ASSERTED WORK(S) (including those of YOUR co-Plaintiffs) are of
11 the same genre.

12 **RESPONSE TO REQUEST NO. 75:**

13 Plaintiff objects to this Request as vague and ambiguous as to the term "genre," as the term is
14 subject to different interpretations. Subject to and without waiving the foregoing objection,
15 Plaintiff further states that Plaintiff lacks sufficient knowledge or information to respond to this
16 Request regarding the content of the ASSERTED WORKS of any other Plaintiff. Plaintiff therefore
17 lacks sufficient knowledge to either admit or deny this Request.

18 **REQUEST FOR ADMISSION 76:**

19 Admit that you are not aware of any agreements to assign rights in or to YOUR ASSERTED
20 WORK(S) that have not already been produced in this ACTION.

21 **RESPONSE TO REQUEST NO. 76:**

22 Plaintiff objects to this Request as vague and ambiguous as to the phrase "any agreements" and
23 "assign rights in or to." Plaintiff further objects to this Request as compound and ambiguous,
24 because it includes the disjunctive phrase, "in or to." "[R]equests for admissions should not contain
25 'compound, conjunctive, or disjunctive ... statements.'" *James v. Maguire Corr. Facility*, No. C
26 10-1795 SI PR, 2012 WL 3939343, at *4 (N.D. Cal. Sept. 10, 2012) (*quoting U.S. ex rel. England*

1 v. *Los Angeles County*, 235 F.R.D. 675, 684 (E.D. Cal. 2006)); *see also King v. Biter*, No.
 2 115CV00414LJOSABPC, 2018 WL 339052, at *6 (E.D. Cal. Jan. 9, 2018). Subject to and without
 3 waiving the foregoing objections, Plaintiff admits that Plaintiff has produced non-privileged
 4 documents in Plaintiff's possession, custody, or control, responsive to Meta's requests for
 5 production regarding licensing agreements for Plaintiff's ASSERTED WORKS. Plaintiff
 6 otherwise denies this Request.

7
 8
 9 Dated: November 18, 2024

By: /s/ James A. Ulwick
 Amy Keller (admitted *pro hac vice*)
 Nada Djordjevic (*pro hac vice* forthcoming)
 James A. Ulwick (admitted *pro hac vice*)
 Madeline Hills (admitted *pro hac vice*)
 10 North Dearborn St., Sixth Floor
 Chicago, Illinois 60602
 Tel.: (312) 214-7900
 Email: akeller@dicellolevitt.com
 ndjordjevic@dicellolevitt.com
 julwick@dicellolevitt.com
 mhills@dicellolevitt.com

David A. Straite (admitted *pro hac vice*)
 485 Lexington Avenue, Suite 1001
 New York, NY 10017
 Tel. (646) 933-1000
 Email: dstraite@dicellolevitt.com

Brian O'Mara
 4747 Executive Drive, Suite 240
 San Diego, California 92121
 Tel.: (619) 923-3939
 Email: bomara@dicellolevitt.com

RMP, LLP
 Seth Haines (admitted *pro hac vice*)
 Timothy Hutchinson (admitted *pro hac vice*)
 5519 Hackett St., Suite 300
 Springdale, AR 72762
 Telephone: (479) 443-2705
 Email: shaines@rmp.law

Bryan L. Clobes (pro hac vice)
Alexander J. Sweatman (pro hac vice)
Mohammed A. Rathur (pro hac vice)
**CAFFERTY CLOBES MERIWETHER
& SPRENGEL LLP**
135 South LaSalle Street, Suite 3210
Chicago, IL 60603
Telephone: (312) 782-4880
Email: bclobes@caffertyclobes.com
asweatman@caffertyclobes.com
mrathur@caffertyclobes.com
*Counsel for Individual and
Representative Plaintiffs and the
Proposed Class*

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

RICHARD KADREY, SARAH SILVERMAN,
CHRISTOPHER GOLDEN, TA-NEHISI
COATES, JUNOT DÍAZ, ANDREW SEAN
GREER, DAVID HENRY HWANG,
MATTHEW KLAM, LAURA LIPPMAN,
RACHEL LOUISE SNYDER, JACQUELINE
WOODSON, AND LYSA TERKEURST,

Individual and Representative Plaintiffs,

v.

META PLATFORMS, INC.;

Defendant.

Case No. 3:23-cv-03417-VC

**PLAINTIFF JACQUELINE
WOODSON'S RESPONSES AND
OBJECTIONS TO DEFENDANT META
PLATFORMS, INC.'S THIRD SET OF
REQUESTS FOR ADMISSION**

PROPOUNDING PARTY: Defendant Meta Platforms, Inc.

RESPONDING PARTY: JACQUELINE WOODSON

SET NUMBER: Three (3)

1 RESPONSE TO REQUEST NO. 86:

2 Plaintiff objects to this Request as unreasonably cumulative of Requests for Admissions Numbers
 3 9, 10, 11, 69, and 70. *See e.g., Thorpe v. Hearn*, No. 219CV1974KJMKJNP, 2022 WL 902891, at
 4 *5 (E.D. Cal. Mar. 28, 2022) (“Where requests for admission ... are unreasonably cumulative and
 5 duplicative of other discovery taken in the case, the requests do not serve the purpose of Rule 36(a)
 6 and are properly subject to objection.”) (internal citations omitted); *see also K.C.R. v. Cnty. of Los*
 7 *Angeles*, No. CV 13-3806 PSG SSX, 2014 WL 3433925, at *4 (C.D. Cal. July 14, 2014). Subject
 8 to and without waiver of the foregoing objections, Plaintiff admits this Request.

9 REQUEST FOR ADMISSION 87:

10 Admit that YOUR ASSERTED WORK(S) are published.

11 RESPONSE TO REQUEST NO. 87:

12 Plaintiff admits that Plaintiff’s ASSERTED WORKS are published.

13 REQUEST FOR ADMISSION 88:

14 Admit that YOUR ASSERTED WORK(S) were published before the acts of purported
 15 infringement by Meta alleged in the COMPLAINT.

16 RESPONSE TO REQUEST NO. 88:

17 Plaintiff admits that Plaintiff’s ASSERTED WORKS were published prior to Meta’s infringement
 18 as alleged in the operative complaint, and therefore admits this Request.

19 REQUEST FOR ADMISSION 89:

20 Admit that not all of the ASSERTED WORK(S) (including those of YOUR co-Plaintiffs) are of
 21 the same genre.

22 RESPONSE TO REQUEST NO. 89:

23 Plaintiff objects to this Request as vague and ambiguous as to the term “genre,” as the term is
 24 subject to different interpretations. Subject to and without waiving the foregoing objection,
 25 Plaintiff further states that Plaintiff lacks sufficient knowledge or information to respond to this
 26

1 Request regarding the content of the ASSERTED WORKS of any other Plaintiff. Plaintiff therefore
 2 lacks sufficient knowledge to either admit or deny this Request.

3 **REQUEST FOR ADMISSION 90:**

4 Admit that you are not aware of any agreements to assign rights in or to YOUR ASSERTED
 5 WORK(S) that have not already been produced in this ACTION.

6 **RESPONSE TO REQUEST NO. 90:**

7 Plaintiff objects to this Request as vague and ambiguous as to the phrase “any agreements” and
 8 “assign rights in or to.” Plaintiff further objects to this Request as compound and ambiguous,
 9 because it includes the disjunctive phrase, “in or to.” “[R]equests for admissions should not contain
 10 ‘compound, conjunctive, or disjunctive ... statements.’” *James v. Maguire Corr. Facility*, No. C
 11 10-1795 SI PR, 2012 WL 3939343, at *4 (N.D. Cal. Sept. 10, 2012) (*quoting U.S. ex rel. England*
 12 *v. Los Angeles County*, 235 F.R.D. 675, 684 (E.D. Cal. 2006)); *see also King v. Biter*, No.
 13 115CV00414LJOSABPC, 2018 WL 339052, at *6 (E.D. Cal. Jan. 9, 2018). Subject to and without
 14 waiving the foregoing objections, Plaintiff admits discovery is ongoing. Plaintiff further admits
 15 that Plaintiff has produced non-privileged documents in Plaintiff’s possession, custody, or control,
 16 responsive to Meta’s requests for production regarding licensing agreements for Plaintiff’s
 17 ASSERTED WORKS. Plaintiff otherwise denies this Request.

18
 19 Dated: November 18, 2024

By: /s/Mohammed A. Rathur
 Mohammed A. Rathur

20 Bryan L. Clobes (pro hac vice)
 21 Alexander J. Sweatman (pro hac vice)
 22 Mohammed A. Rathur (pro hac vice)
CAFFERTY CLOBES MERIWETHER
& SPRENGEL LLP
 23 135 South LaSalle Street, Suite 3210
 Chicago, IL 60603
 24 Telephone: (312) 782-4880
 Email: bclobes@caffertyclobes.com
 25 asweatman@caffertyclobes.com
 26 mrathur@caffertyclobes.com